

1 BILL NO. R-83-02-25

2 RESOLUTION NO. R-10-83

3 AMENDED RESOLUTION FINDING, DETERMINING  
4 AND RATIFYING AN INDUCEMENT RESOLUTION  
5 OF THE FORT WAYNE ECONOMIC DEVELOPMENT COMMISSION  
6 AUTHORIZING THE ISSUANCE AND SALE OF  
7 \$6,000,000 ECONOMIC REVENUE BONDS OF THE  
8 CITY OF FORT WAYNE, INDIANA,  
9 FOR THE PURPOSE OF INDUCING THE APPLICANT,  
10 AWB REALTY CORP.  
11 TO PROCEED WITH THE ACQUISITION  
12 CONSTRUCTION AND EQUIPPING OF THE PROJECT.

13 WHEREAS, the City of Fort Wayne, Indiana, (the "Issuer") is  
14 authorized by I.C. Sec. 36-7-12 (the "Act") to issue revenue  
15 bonds for the financing of economic development facilities, the  
16 funds from said financing to be used for the acquisition,  
17 construction and equipping of said facilities, and said facili-  
18 ties to be either sold or leased to another person or directly  
19 owned by another person; and

20 WHEREAS, AWB Realty Corp. (the "Applicant") obtained an  
21 Inducement Resolution from the Fort Wayne Economic Development  
22 Commission on December 17, 1981, and whereas subsequent to the  
23 passage of said Inducement Resolution, this Common Council  
24 adopted an Inducement Resolution in favor of the Applicant; and

25 WHEREAS, AWB Realty Corp. has advised the Fort Wayne  
26 Economic Development Commission and the Issuer that it proposes  
27 to amend said Inducement Resolutions in that the Applicant now  
28 proposes that the Issuer acquire and equip an economic  
29 development facility and sell and/or lease the same to the  
30 Applicant or loan proceeds of an economic development financing  
31 to the Applicant for the same, said economic development faci-  
32 lity to be acquisition of the building located at 203 E. Berry  
Street, Fort Wayne, Indiana, currently called the Anthony Wayne  
Bank Building, including the land and the building and related  
machinery and equipment for use as a full service bank and com-  
mercial building for lease to other tenants, and including five



1 parking levels containing approximately 275 parking spaces (the  
2 "Project"); and

3 WHEREAS, the diversification of industry and an increase in  
4 approximately 92 jobs to be achieved by acquisition and  
5 construction and equipping of the Project will be of public  
6 benefit to the health, safety and general welfare of the Issuer  
7 and its citizens; and

8 WHEREAS, having received the advice of the Fort Wayne  
9 Economic Development Commission, it would appear that the  
10 financing of the Project would be of public benefit to the  
11 health, safety and general welfare of the Issuer and its  
12 citizens; and

13 WHEREAS, the acquisition and construction of the faci-  
14 lity will not have an adverse effect on any similar facility  
15 already constructed or operating in or about Fort Wayne,  
16 Indiana.

17 NOW THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF  
18 THE CITY OF FORT WAYNE, INDIANA:

19 SECTION 1. The Common Council finds, determines, rati-  
20 fies and confirms the promotion of diversification of economic  
21 development and job opportunities in and near Fort Wayne,  
22 Indiana and in Allen County, is desirable to preserve the  
23 health, safety and general welfare of the citizens of the  
24 Issuer; and that it is in the public interest that Fort Wayne  
25 Economic Development Commission and said Issuer take such action  
26 as it lawfully may to encourage diversification of industry and  
27 promotion of job opportunities in and near said Issuer.

28 SECTION 2. The Common Council further finds, deter-  
29 mines, ratifies and confirms that the issuance and sale of reve-  
30 nue bonds in an amount not to exceed \$6,000,000 of the Issuer  
31 under the Act for the acquisition, construction and equipping of  
32 the Project and the sale or leasing of such a financing to the



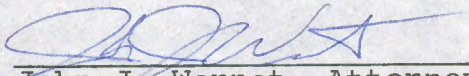
1 Applicant for such purposes will serve the public purpose  
2 referred to above, in accordance with the Act.

3 SECTION 3. In order to induce the Applicant to proceed  
4 with the acquisition, construction and equipping of the Project,  
5 the Common Council hereby finds, determines, ratifies and con-  
6 firms that (i) it will take or cause to be taken such actions  
7 pursuant to the Act as may be required to implement the afore-  
8 said financing, or as it may deem appropriate in pursuance  
9 thereof, provided that all of the foregoing shall be mutually  
10 acceptable to the Issuer and the Applicant; and (ii) it will  
11 adopt such ordinances and resolutions and authorize the execu-  
12 tion and delivery of such instruments and the taking of such  
13 action as may be necessary and advisable for the authorization,  
14 issuance and sale of said economic development bonds.

15 SECTION 4. All costs of the Project incurred after the  
16 passage of this Inducement Resolution, including disbursement or  
17 repayment of the Applicant of monies expended by the Applicant  
18 for planning, engineering, interest paid during construction,  
19 underwriting expenses, attorney and bond counsel fees, acquisi-  
20 tion, construction and equipping of the Project will be per-  
21 mitted to be included as part of the bond issue to finance said  
22 Project, and the Issuer will thereafter either sell or lease the  
23 same to the Applicant or loan the proceeds of such financing to  
24 the Applicant for the same purposes.

25  
26   
COUNCILMAN

27 APPROVED AS TO FORM AND  
28 LEGALITY.

29   
30 John J. Wernet, Attorney for the  
Economic Development Commission  
31 Dated this 22d day of February, 1983  
32



Read the first time in full and on motion by Stier,  
seconded by Delario, and duly adopted, read the second time  
by title and referred to the Committee Finance (and the City  
Plan Commission for recommendation) and Public Hearing to be held after  
due legal notice, at the Council Chambers, City-County Building, Fort Wayne,  
Indiana, on \_\_\_\_\_, the \_\_\_\_\_ day of  
\_\_\_\_\_, 19\_\_\_\_, at \_\_\_\_\_ o'clock \_\_\_\_\_ M., E.S.T.

DATE: 2-22-83.

Charles W. Westerman  
CHARLES W. WESTERMAN - CITY CLERK

Read the third time in full and on motion by GiaQuinta,  
seconded by Delario, and duly adopted, placed on its  
passage. PASSED ~~(Stier)~~ by the following vote:

	<u>AYES</u>	<u>NAYS</u>	<u>ABSTAINED</u>	<u>ABSENT</u>	<u>TO-WIT:</u>
<u>TOTAL VOTES</u>	<u>9</u>	_____	_____	_____	_____
<u>BRADBURY</u>	<u>✓</u>	_____	_____	_____	_____
<u>BURNS</u>	<u>✓</u>	_____	_____	_____	_____
<u>EISBART</u>	<u>✓</u>	_____	_____	_____	_____
<u>GiaQUINTA</u>	<u>✓</u>	_____	_____	_____	_____
<u>SCHMIDT</u>	<u>✓</u>	_____	_____	_____	_____
<u>SCHOMBURG</u>	<u>✓</u>	_____	_____	_____	_____
<u>SCRUGGS</u>	<u>✓</u>	_____	_____	_____	_____
<u>STIER</u>	<u>✓</u>	_____	_____	_____	_____
<u>TALARICO</u>	<u>✓</u>	_____	_____	_____	_____

DATE: 3-8-83

Charles W. Westerman  
CHARLES W. WESTERMAN - CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne,  
Indiana, as (ZONING MAP)—(GENERAL)—(ANNEXATION)—(SPECIAL)

(APPROPRIATION) ORDINANCE (RESOLUTION) NO. 3-10-83.  
on the 8th day of March, 1983.

ATTEST:

(SEAL)

Charles W. Westerman  
CHARLES W. WESTERMAN - CITY CLERK

Ray A. Ebert  
PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on  
the 9th day of March, 1983, at the hour of  
2:00 o'clock P. M., E.S.T.

Charles W. Westerman  
CHARLES W. WESTERMAN - CITY CLERK

Approved and signed by me this 10th day of March  
1983, at the hour of 11 o'clock A. M., E.S.T.

Win Moses, Jr.  
WIN MOSES, JR. - MAYOR



BILL NO. R-83-02-25

REPORT OF THE COMMITTEE ON FINANCE

WE, YOUR COMMITTEE ON FINANCE TO WHOM WAS REFERRED AN  
~~XXXXXXXXXX~~ A RESOLUTION FINDING, DETERMINING AND RATIFYING AN  
ORDINANCE  
INDUCEMENT RESOLUTION OF THE FORT WAYNE ECONOMIC DEVELOPMENT COMMISSION  
AUTHORIZING THE ISSUANCE AND SALE OF \$6,000,000 ECONOMIC REVENUE  
BONDS OF THE CITY OF FORT WAYNE, INDIANA, FOR THE PURPOSE OF INDUCING  
THE APPLICANT, TO PROCEED WITH THE ACQUISITION, CONSTRUCTION AND EQUIPPING  
OF THE PROJECT

HAVE HAD SAID ORDINANCE UNDER CONSIDERATION AND BEG LEAVE TO REPORT  
BACK TO THE COMMON COUNCIL THAT SAID ORDINANCE DO PASS.

MARK E. GIAQUINTA, CHAIRMAN

JAMES S. STIER, VICE CHAIRMAN

JANET G. BRADBURY

SAMUEL J. TALARICO

DONALD J. SCHMIDT

*Mark E. Giaquinta*  
*James S. Stier*  
*Janet G. Bradbury*  
*Samuel J. Talarico*  
*D. Schmidt*

3-8-83  
DATE 3-8-83 CONCURRED IN  
CHARLES W. WESTERMAN



DIGEST SHEET

Q-83-02-25

TITLE OF ORDINANCE Amended Resolution for an issue of \$6,000,000.00

DEPARTMENT REQUESTING ORDINANCE Economic Development Commission

SYNOPSIS OF ORDINANCE Authorizes acquisition of office building

located at 203 E. Berry known as the Anthony Wayne Bank Building

by AWB Realty Corp. for lease to Anthony Wayne Bank and other

tenants including cost of issue on application of AWB Realty Corp.

EFFECT OF PASSAGE Purchase of office building creating 92 jobs within  
three years with an estimated payroll of approximately \$1,000,000  
annually.

EFFECT OF NON-PASSAGE None of the above.

MONEY INVOLVED (DIRECT COSTS, EXPENDITURES, SAVINGS) None.

ASSIGNED TO COMMITTEE (PRESIDENT) \_\_\_\_\_